

DIVISION OF OIL,  
GAS AND MINING,  
DEPARTMENT OF  
NATURAL  
RESOURCES,  
STATE OF UTAH

NOTICE OF EXEMPTION  
CAUSE NO. 0-055/000

IN THE MATTER OF  
FACTORY BUTTE MINERAL  
PROJECT, UTAH STATE  
COAL LEASE ML-45082,  
LOCATED IN SECTION 2,  
TOWNSHIP 27 SOUTH,  
RANGE 9 EAST, SLBM,  
WAYNE COUNTY, UTAH

THE STATE OF UTAH  
TO ALL OPERATORS,  
TAKERS OF PRODUCTION,  
MINERAL AND ROYALTY  
OWNERS.

Notice is hereby given to  
interested persons that  
based on information pro-  
vided by Dick Shumway, the  
Utah Division of Oil, Gas and  
Mining has reason to believe  
that the extraction of humic  
shale and carbonaceous  
product proposed by Dick  
Shumway for portions of  
Section 2, Township 27  
South, Range 9 East, SLBM,  
Wayne County, Utah, may  
qualify as an exemption from  
regulation under the Utah  
Coal Regulatory Program.  
The basis for the qualifica-  
tion for exemption is non-  
commercial use as defined in  
Utah Admin. Code R. 645-  
100-400. Should the Division  
of Oil, Gas and Mining make  
the determination of exemp-  
tion as proposed, reclama-  
tion of mining disturbances  
will still be required under the  
provisions of the Utah Mined  
Land Reclamation Act, Utah  
Code Ann. § 40-8-1 et seq.

Persons wishing to  
comment on this proposed  
Division decision should ad-  
dress written comments to:  
Lowell Braxton, Associate  
Director, Mining, Utah  
Division of Oil, Gas and  
Mining, 3 Triad Center, Suite  
350, 355 West North Temple,  
Salt Lake City, Utah 84180-  
1203, within 30 days of the  
date of this publication.

Pursuant to the  
Americans with Disabilities  
Act, persons requiring auxil-  
iary services to enable them  
to provide written comments  
should call Janice L. Brown  
at 538-5340 at least three  
working days prior to the  
30th day following publica-  
tion of this announcement.

DATED THIS 4th day of  
January, 1993.

STATE OF UTAH  
DIVISION OF OIL,  
GAS AND MINING  
/s/Lowell P. Braxton,  
Associate Director, Mining  
Published in The Times-  
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January 7, 1993.

Rec'd 1/10/1993 FYF  
**Proof of Publication**

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STATE OF UTAH, )  
County of Grand, ) ss.

Samuel J. Taylor or Adrien F. Taylor, being first duly  
sworn according to law, deposes and says: That he/she is  
the co-publisher of The Times-Independent, a weekly  
newspaper of general circulation, published every  
Thursday at Moab, Grand County, State of Utah; that the  
notice

Div. of Oil, Gas, and Mining

hereto attached, and which is made a part of this Affida-  
vit of Publication, was published in said newspaper for  
a period of 1 consecutive issues, the first publication  
date having been made January 7, 1993

;and the last on January 7, 1993

;and the said notice was published in each and  
every copy of said newspaper during the period and time  
of publication, and that it was published in the news-  
paper proper and not in a supplement thereof.

*Samuel J. Taylor*  
Co-Publisher

Subscribed and sworn before me this

*Cynthia G. Winters*  
Notary Public  
Residing at Moab, Utah

COPY

My Commission Expires



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